IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Bail Appl..No. 4002 of 2007(A)

(CRIME NO. 156/2007 of MUNNAR POLICE STATION)

PETITIONER/10TH ACCUSED:

ANTHONY @ ANTONY, AGED 19,
S/O. DANIEL, RESIDING AT 20TH ROOM LANE,
PUTHUKKADUN DIVISION, NEAR CANTEEN, KALLAR ESTATE.

BY ADV. SRI.N.K.SHYJU

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. S.U. NAZER, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4002 of 2007

Dated this the 3rd day of July, 2007

ORDER

Application for regular bail. The petitioner is the 9th accused. Altogether there are 10 accused persons. They face allegations, inter alia, under Sections 452, 354 and 308 r/w 149 I.P.C. The crux of the allegations against the petitioner is that he was a member of an unlawful assembly of persons who in prosecution of their common object armed with deadly weapons trespassed into the house of the defacto complaint and allegedly attacked her with weapons. The alleged incident took place on 21.05.2007. Some of the co-accused have already been arrested and enlarged on bail. The petitioner was not available. He was arrested long later on 03.06.2007. He continues in custody from that date. The co-accused who were arrested have all been enlarged on bail. Only one accused (A3) remains to be arrested.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioner can now be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-